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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/913,454	08/14/2001	Liqun Chen	B-4278PCT	9593

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EXAMINER	
NGUYEN, MINH DIEU T	
ART UNIT	**PAPER NUMBER**
2137	

DATE MAILED: 06/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/913,454	CHEN ET AL.	
	Examiner	Art Unit	
	Minh Dieu Nguyen	2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 April 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *2-7,9,11,13,14,22-24,27 and 30-43* is/are pending in the application.

4a) Of the above claim(s) *1,8,10,12,15-21,25,26,28 and 29* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *2-7,9,11,13,14,22-24,27 and 30-43* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11 April 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This action is in response to the communication dated April 11, 2005 with the amendments to the claims 2-7, 9, 11, 13-14, 22-24, 27; the addition of claims 30-43 and the cancellation of claims 1, 8, 10, 12, 15-21, 25-26 and 28-29.

Claims 2-7, 9, 11, 13-14, 22-24, 27 and 30-43 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 2-7, 9, 11, 13-14, 22-24 and 27 have been considered but are moot in view of the new ground(s) of rejection. Applicant's arguments focus on the combination of features introduced by the amendment with elements that already existed in the claims. The new material is rendered obvious by Drews (6,539,480), Herzi et al. (6,353,885) and Muftic (5,943,423).

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 4 recites the limitation "the private key" on page 6, paragraph next to the last paragraph. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 2-5, 9, 13-14, 22-24, 27, 31-33, 37, 39, and 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Drews (6,539,480).

a) As to claims 4, 14 and 22, Drews discloses a method and apparatus for securely transferring trust from a current trusted authority to a new trusted authority in a computing system comprising the trusted device (i.e. security module, Fig. 1, element 30) retrieving a module configuration profile (col. 3, lines 1-14) of at least one module within the plurality of functional modules (i.e. configuration profile may be stored on an internal hard disk or over the network (col. 3, lines 32-36) or on a magnetic storage medium (i.e. smart card, col. 3, line 13) or from the module by administrator (Fig. 1, element 20)), wherein the module configuration profile comprises a public key (Fig. 2, element 106) and the corresponding key is the private key (col. 4, lines 43-46); the trusted device communicating with the at least one module (Fig. 3, element 113) by transmitting a first data (Fig. 4, i.e. security module transmitting a unique information to the administrator) to the at least one module; the at least one module corresponding to the communication from the trusted device by transmitting a second data (Fig. 3, elements 114-116) to the trusted device, wherein the second data comprises a signature generated with the private key (Fig. 3, element 115); the trusted device

verifying authenticity of the signature with the public key (Fig. 5, element 204) and inhibiting function of the computer apparatus if the signature is not authentic (Fig. 5, element 210).

Drew does not explicitly disclose the computer apparatus comprising a plurality of modules, however he does indicate configuration data exists under different ways, in internal hard drive or over the network (col. 3, lines 32-36).

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of plurality of functional modules in the system of Drew so as to provide multiple configurations for multiple users.

b) As to claims 2 and 31, Drew discloses the stored configuration data profile is held separately from the computing apparatus (i.e. over the network) (col. 3, lines 34-36).

c) As to claims 3, 5, 9, 13, 23-24, 27, 32-33, 37, 39 and 41-43, the claimed limitations are addressed in the above claim 4, Drew discloses the validation and authentication process with the use of public/private key, hashing and digital signature.

7. Claims 6-7, 30, 34, 36, 38 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Drews (6,539,480) in view of Herzi et al. (6,353,885).

a) As to claims 30, 38 and 40, Drews discloses a method and apparatus for securely transferring trust from a current trusted authority to a new trusted authority in a computing system comprising the trusted device (i.e. security module, Fig. 1, element 30) retrieving a module configuration profile (col. 3, lines 1-14) of at least one module

within the plurality of functional modules (i.e. configuration profile may be stored on an internal hard disk or over the network (col. 3, lines 32-36) or on a magnetic storage medium (i.e. smart card, col. 3, line 13) or from the module by administrator (Fig. 1, element 20)), wherein the module configuration profile comprises a public key (Fig. 2, element 106) and the corresponding key is the private key (col. 4, lines 43-46); the trusted device communicating with the at least one module (Fig. 3, element 113) by transmitting a first data (Fig. 4, i.e. security module transmitting a unique information to the administrator) to the at least one module; the at least one module corresponding to the communication from the trusted device by transmitting a second data (Fig. 3, elements 114-116) to the trusted device, wherein the second data comprises a signature generated with the private key (Fig. 3, element 115); the trusted device verifying authenticity of the signature with the public key (Fig. 5, element 204) and inhibiting function of the computer apparatus if the signature is not authentic (Fig. 5, element 210).

Drew does not explicitly disclose the computer apparatus comprising a plurality of modules, however he does indicate configuration data exists under different ways, in internal hard drive or over the network (col. 3, lines 32-36) or in a magnetic storage medium (i.e. smart card, col. 3, line 13).

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of plurality of functional modules in the system of Drew so as to provide multiple configurations for multiple users.

Herzi discloses a system and method for providing BIOS level user configuration of a computer system where the smart card contains BIOS level settings (Fig. 1, element 28). Herzi also discloses the stored module configuration is stored such that it is accessible only by a cryptographic authentication process (col. 5, lines 42-47).

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of a smart card as a security token for storing module configuration separately from the computing apparatus and accessing the configuration information only by a crypto authentication process as Herzi teaches in the system of Probst so as to provide a more secure and flexible use of the configuration information (col. 5, lines 8-25).

b) As to claims 6-7, 34 and 36, please see the addressed above claim 30.

8. Claims 11 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Drews (6,539,480) in view of Herzi et al. (6,353,885) and further in view of Muftic (5,943,423).

Herzi discloses the module configuration is held by a remote module validation authority, however Drews and Herzi do not disclose the remote validation authority provides a service allowing a replacement security token to be provided if a security token is lost or stolen.

Muftic discloses applications of the smart card technology to computer and network access, software distribution comprising a service allowing a replacement security token to be provided if a security token is lost or stolen (col. 6, lines 50-56).

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of replacing lost or stolen security token as Muftic teaches in the system of Drews and Herzi so as not to disrupt the smart card services.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dieu Nguyen whose telephone number is 571-272-3873. The examiner can normally be reached on M-F 6:00-2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Minh Dieu Nguyen
Examiner
Art Unit 2137

mdn
6/17/05

EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER